

LOK SABHA

Wednesday, February 15, 1961/Magha
26, 1882 (Saka)

The Lok Sabha met at Eleven of the
Clock.

[MR. SPEAKER in the Chair].

ORAL ANSWERS TO QUESTIONS

Bonus Commission

Shri P. G. Deb:
Shri Sampath:
Shri Rameshwar Tantia:
Shri S. A. Mehdi:
Shri Ram Krishan Gupta:
Shri T. B. Vittal Rao:
Shri Pahadia:
Shri Assar:
Shri Vajpayee:
Shri Nath Pai:
Shri Supakar:
Shri Anthony Pillai:
Shri P. C. Borooah:
Shrimati Renuka Ray:
Shri S. M. Banerjee:
Shri Tangamani:
Shri Naval Prabhakar:
Shri Bhakt Darshan:
Shri R. S. Tiwari:
Shri Pangarkar:
Shri D. C. Sharma:
Shri Aurobindo Ghosal:

Will the Minister of Labour and
Employment be pleased to state:

(a) whether a Bonus Commission
has been set up recently;

(b) if so, the reasons for the same;

(c) whether any controversy has
been raised regarding the member-
ship of the Commission; and

1869 (Ai) LS—1.

(d) what are the terms of reference
of the Commission?

**The Deputy Minister of Labour
(Shri Abid Ali):** (a) and (b). It has
been decided to set up a Bonus Com-
mission to study various aspects of
the question of bonus.

(c) Yes.

(d) The terms of reference will be
settled in consultation with the rep-
resentatives of the workers and em-
ployers.

Shri P. G. Deb: May I know whe-
ther the different trade unions have
protested to Government about the
present President of the Commission?

Shri Abid Ali: No, Sir; the trade
unions have welcomed his appoint-
ment.

Shri Vajpayee: Is it a fact that the
employers raised a controversy in re-
gard to the Chairmanship of the Com-
mission; and may I know what their
objections have been and Govern-
ment's reactions thereto?

**The Minister of Labour and Em-
ployment and Planning (Shri Nanda):**
They have written to us and, also, I
have met them and ascertained from
them their objections to the present
constitution of the Bonus Commission.
Briefly, the objection is that the
Chairman has not got a high enough
status and that he has dealt with such
cases before.

Shri S. M. Banerjee: May I know
whether Government propose to
bring any legislation after the recom-
mendations of the Bonus Commission,
and also whether the Commission will
go into the question of the payment
of bonus for the public sector employ-
ees?

Shri Nanda: So far as the first part of the question goes, that will depend upon the situation later on. If all the parties agree and implement it, legislation may not be necessary; but that is not ruled out.

Regarding the application of this, that is, whatever is decided to the public sector, or bringing in the public sector into the consideration of the bonus question, this is a matter which has been raised by trade unions, and also by some States. Therefore, it will be discussed in the first instance in the Standing Labour Committee where we are going to consider the terms of reference.

Shri Tyagi: Is this proposed bonus going to be related to the profits earned by an industry or is it going to be related, as an incentive, to the additional production made in a factory?

Shri Nanda: All these are elements, and that is exactly why a Bonus Commission has to be set up, because such questions have arisen—what should be the proper basis for settlement of bonus, what are the proper norms—and these are questions that will be considered.

Shri Tyagi: Originally the principle of bonus has been agreed upon by Government. I want to know whether Government have agreed to this type of bonus to be taken out of the profits earned by a factory based on production, or would it be based on the pattern of incentives given for additional production?

Shri Nanda: The position of Government has been that it is better to base it on performance, production, etc. And it may be that the matter of the whole industry also may be considered by the Bonus Commission even from that point of view.

Shri K. N. Pande: May I know whether the Bonus Commission will take into consideration past agreements regarding bonus entered into by parties in different industries?

Shri Nanda: Past agreements will take their course unless the parties themselves decide to vary them.

Shri Rameshwar Tantia: May I know the number of Members of this Commission and whether there are any Members from the industry side also?

Shri Nanda: There is the Chairman who is the President of the Industrial Court of Maharashtra. There is one Member of Parliament, Shri Govinda Reddy from Rajya Sabha. And there is an economist, Prof. Ganguli. And now we are intending to enlarge the composition by bringing in representatives of the workers and employers.

श्री राम सिंह भाई वर्मा: क्या बोनस प्रतिक्रिया की तरफ में दर्ज आकस्मिक में मासिक केंद्रन करने के लिये प्रामाण्य में निवेदन किया गया है ?

Shri Nanda: There is of course a demand for modification, and that is why further enquiry into the matter is required.

Shri Tangamani: May I know what the terms of reference of the Commission are, whether the terms have been finalised or whether they are going to alter the terms of reference in view of the repeated demands of the employers?

Shri Nanda: There is nothing going to be done because of the repeated demands either of the employers or workers except to the extent that there is justification for it. The terms of reference are in the draft which has been circulated to the parties, and this is going to be taken up for discussion at the next meeting.

Shri T. B. Vittal Rao: The Standing Labour Committee was convened mainly for the purpose of formulating the terms of reference. May I know

why there has been a delay and another meeting of the committee is being called for?

Shri Nanda: Certainly, it is a very pertinent question. It arises out of the fact that there were objections raised by employers, and they have asked for time so that later on they may reconsider the position. I think it is about six weeks that they want and then they will come back and then the matter will be dealt with.

Shri Anthony Pillai: The hon. Minister stated that the Bonus Commission will consist of independent gentlemen and also workers' and employers' representatives. By "workers' representatives" does he mean all the Central trade union organisation representatives or only one Central trade union organisation representative?

Shri Nanda: That will depend upon the outcome of the discussions in the Standing Labour Committee itself. The parties may agree, in the interests of having a compact body, to have just one; or they may ask for more. It will be settled in consultation with them.

Shri Supakar: Has any time been fixed for the Commission to submit their report, and will the Commission be entitled to any bonus if they submit their report before time?

Mr. Speaker: Shri Sampath.

Shri Sampath: The hon. Minister stated that the Commission might be expanded. I would like to know whether after the expansion it will be tripartite in character.

Shri Nanda: Expansion means that it comes tripartite in character

Shri P. C. Borooah: May I know if the Commission will also consider the question of elimination of bonus also?

Shri Nanda: Yes, Sir, that is also one very legitimate question for them to consider, whether some other form can be given to the payments to be made to workers—it may be related

to production, or some other factors may be brought in.

श्री रा० ल० तिवारी : बोनस दिलाने के लिये जो कर्मीशन बनाया गया है, क्या वह इस विषय पर जेनरली विचार करेगा, या इस सम्बन्ध में श्रमिक जो मांगें रखेंगे, उन पर विचार करेगा ?

Shri Braj Raj Singh: Sir, on a point of order. The hon Minister just now stated that one of the terms of reference of the Bonus Commission will also be that they may also decide not to give bonus at all—that is, it may be given in some other form, it may not be bonus. Since the name of the Commission is Bonus Commission, will it be proper for the Commission to decide that something may be given which is not by way of bonus but by other ways?

Mr. Speaker: We call ourselves Parliament. Sometimes, even without discussion we pass Bills. We can do so. Does the hon. Member mean that every time Parliament must discuss and speak about it? Bonus Commission, I think, is not only for payment of bonus, but, if it is impossible in the present circumstances, they can also report that the present time is not suitable for it; or they can say with respect to particular companies it is not possible—with respect to all companies it cannot be a rule. There can be all these various aspects. Instead of restricting the scope, you can have the scope wide. Later on it will be for us to decide what to accept or not to accept. Let us have the entire material before the House. That is all that it means. I do not think it means anything more.

Shri Nanda: At present both the employers and the workers have felt that the uncertainty relating to bonus creates friction, tensions, and the question is whether we could not find some better way of rewarding workers?

Both the workers' organisations and the employers have been trying to

explore this, and this Commission might deal with this aspect also.

Shri Damani: May I know whether any particular industries will be referred to the Bonus Commission, if so their names?

Shri Nanda: It is principles and methods which are going to be dealt with by the Commission.

Shri Muhammed Elias: Recently, the Wage Board for the sugar industry has given its decision reducing the amount of bonus which the sugar workers were being paid. In view of the appointment of the Bonus Commission, will Government reconsider the decision of the Wage Board so that bonus may be paid to the sugar workers as it used to be?

Shri Nanda: I have answered it in reply to another question I have said that all existing agreements and settlements are protected subject to any variations by agreement.

International Commission of Supervision and Control in Laos

Shri Vidya Charan Shukla:
Shri Harish Chandra

Mathur:

Shri A. M. Tariq:

Shri P. G. Deb:

Shri Sampath:

Shri Shree Narayan Das:

Shri Radha Raman:

Shri S. A. Mehdi:

Shri Kodliyan:

*2. **Shri Ajit Singh Sarhadi:**

Shri Naldurgkar:

Shri D. C. Sharma:

Shri Rameshwar Tantia:

Shri S. M. Banerjee:

Shri Raghunath Singh:

Dr. Ram Subhag Singh:

Shri Hem Barua:

Shri Bibhuti Mishra:

Shri P. C. Borooah:

Shri Ram Garib:

Shri Kalika Singh:

Will the Prime Minister be pleased to state how far the efforts of the

Government of India to activate the International Commission of Supervision and Control in Laos have succeeded?

The Deputy Minister of External Affairs (Shrimati Lakshmi Menon): The matter is still under the consideration of the two Co-Chairmen of the Geneva Conference.

Shri Vidya Charan Shukla: In reply to a question during the last session it was said the Government of India was dealing with the Government of Prince Souvanna Phouma. May I know if the same Government is being dealt with now, or are we dealing with the Government ruling in Vientiane?

The Prime Minister and Minister of External Affairs (Shri Jawaharlal Nehru): I think there is no Government of Prince Souvanna Phouma functioning now. We have no considerable dealings with any Government. There is some kind of authority functioning in Vientiane, and for practical purposes one has to deal in minor matters with them.

Shri Vidya Charan Shukla: Have we received any replies to our communications from the Government of the U.S.S.R. and the U.S.A. regarding the reactivation of the Commission in Laos?

Shri Jawaharlal Nehru: We have not had any recent communication on this subject, but previously there had been correspondence with both those Governments. We have been waiting now for some weeks for any decision that they might take.

Shri Harish Chandra Mathur: Is it not a fact that the Canadian Government have expressed their willingness now for the reactivation, as also the present Laotian Government? Then, what are the difficulties? Is it not a fact that all are agreed on the reactivation of this Commission?

Shri Jawaharlal Nehru: I do not think it is quite clear to us that all are agreed. If all are agreed, there